



City of Seattle

Gregory J. Nickels, Mayor

Department of Design, Construction and Land Use

D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF DESIGN, CONSTRUCTION AND LAND USE**

Application Number: 2208518
Applicant Name: Richard Crooks
Address of Proposal: 5948 26th Ave. SW

SUMMARY OF PROPOSED ACTION

Master Use Permit to subdivide one parcel into three (3) parcels of land in an Environmentally Critical Area (ECA) – Riparian Corridors. Proposed parcel sizes are: A) 7,226 square feet, B) 5,289 square feet, and C) 7,178 square feet. The existing single family structure to remain.

The following approvals are required:

Short Subdivision - to subdivide one existing parcel into two parcels.
(Chapter 23.24, Seattle Municipal Code).

SEPA Threshold Determination (Chapter 25.05 SMC)

SEPA DETERMINATION: ☐ Exempt ☐ DNS ☐ MDNS ☐ EIS
 ☒ DNS with conditions
 ☐ DNS involving non-exempt grading or demolition or
 involving another agency with jurisdiction

*Early Notice DNS published April 10, 2003

BACKGROUND DATA

Site & Area Description

The subject site is located just south of Southwest Juneau Street in the 5900 block of 26th Avenue Southwest in the Delridge neighborhood. The existing parcel area is approximately 19,694 square feet located in a Single Family residential zone with a minimum lot size of 5,000 square feet (SF 5000). The site is rectangle in shape with a shallow topographic slope that rises

slightly from its northeast corner to the southwest corner. The site is modestly vegetated with mature trees and shrubs in the rear three quarters of the site. One vacant residential structure currently occupies the development site near 26th Avenue Southwest frontage.

The subject site fronts two rights-of-way, 26th Avenue Southwest to the west and 25th Avenue Southwest to the east. By Land Use Code definition this lot is considered to be a through lot because of the parallel street frontages. 26th Avenue Southwest is a sixty foot right-of-way, improved with a paved asphalt roadway with a shallow gravel shoulder. By contrast, 25th Avenue Southwest is a heavily vegetated unimproved right-of-way within the Longfellow Creek buffer area. Longfellow Creek meanders north and south through this neighborhood. The development site is mapped in the Environmentally Critical Areas (ECA) Folios as being within 100 feet measured horizontally from the top of the bank of a watercourse: Riparian Corridors. Longfellow Creek is a year round creek requiring a fifty foot protective buffer, which does not encroach onto the development site.

Zoning in the area is a mix of residential and neighborhood commercial uses. To the west across 26th Avenue Southwest, to the north across Southwest Juneau Street and to the south comprises a large swath of Single family 5000 zoning. To the east across 25th Avenue Southwest is Multifamily Lowrise 1 (L-1), this narrow zoning band running north and south is abutting SF 5000 zoning further to the east. To the northeast, along Delridge Way Southwest the area is zoned Neighborhood Commercial 2, with a forty foot height limit (NC2-40).

Access to the residences on the block front is limited to only Southwest Juneau Street to the north at this time. The street dead ends at the south end of the block. Abutting the subject site to the south are three new residential structures with a similar short plat pattern as the requested short plat proposal. A mix of old homes and new residences typify this block front's suburban feel. Across 26th Avenue Southwest right-of-way the land is heavily vegetated on an expansive undeveloped land mass owned by the Seattle Housing Authority.

The surrounding streetscape along 26th Avenue Southwest is dominated by utility poles. Just north of this property, at the southwest corner of Southwest Juneau Street and 26th Avenue Southwest, the Delridge Receiving Substation is located. The transmission lines serving this substation are located on the east side of the right-of-way, on the same side of the street where the residential structures are located. The substation itself is physically buffered with mature landscaping along its street frontage.

Proposal

The proposal is to subdivide one parcel of land into three (3) parcels. Proposed parcel areas are indicated in the summary above. Proposed parcels will have direct and indirect access to 26th Avenue Southwest. The existing principal single family residence will remain on proposed Parcel A.

Public Comment

No comments were received.

ANALYSIS - SHORT SUBDIVISION

Based on information provided by the applicant, referral comments from the Land Use Plans Examiner, the Drainage Section, the Fire Department, Seattle Public Utilities (City Light and the Water Department), and review by the Land Use Planner, the following findings are made with respect to the above-cited criteria:

Pursuant to SMC 23.24.040, no short plat shall be approved unless all of the following facts and conditions are found to exist:

1. Conformance to the applicable Land Use Code provisions;

The subject property is zoned for single-family residential with a minimum lot size of 5,000 square feet. The allowed use in a single family zone is one dwelling unit per lot. Maximum lot coverage is 35%. Required front yards are an average of the neighboring adjacent lots, or twenty (20) feet, which ever is less. The minimum side yard setback is five (5) feet. Minimum rear yard is twenty-five (25) feet or 20% of lot depth. The lots created by this proposed division of land will conform to all development standards of the SF 5000 zoning district. This said, the proposed parcels will provide adequate buildable areas to meet applicable yards, lot coverage requirements, and other Land Use Code development standards.

2. Adequacy of access for vehicles, utilities, and fire protection, as provided in Section 23.53.005;

The proposed lots will have vehicular access to 26th Avenue Southwest, consistent with the provisions of the Code. The Seattle Fire Department has no objection to the proposed short plat, so long as the ingress and egress easement surface is constructed at a minimum with crush rock at least six (6) inches in depth. All private utilities are available in this area. Seattle City Light provides electrical service to the proposed short plat. City Light has reviewed the proposal and will not require an easement to provide for electrical facilities and service to the proposed lots. This short plat provides for adequate access for vehicles, utilities, and fire protection.

3. Adequacy of drainage, water supply, and sanitary sewage disposal;

This area is served with domestic water, and sanitary sewer facilities by the City of Seattle. Availability of service is assured subject to standard conditions of utility extension. The Short Plat application has been reviewed by Seattle Public Utilities and a Water Availability Certificate was approved and issued on March 4, 2003. The existing structure located upon proposed Parcel A is connected by means of a single side-sewer to a 21-inch metro Sanitary Sewer located in the 25th Avenue Southwest right-of-way. An 8-inch Public Sanitary Sewer (PSS) is located in the 26th Avenue Southwest right-of-way. Plan review requirements regarding storm water are made at time of building permit application. If the project includes greater than 5,000 square feet of new or replaced impervious surface, a comprehensive drainage control plan prepared in accordance with SMC 22.802.015D and 22.802.020 may be required.

4. Whether the public use and interests are served by permitting the proposed division of land;

One objective of the short subdivision process is to increase opportunities for new housing development in order to ensure that there will be adequate capacity for future housing needs. An

equally important objective is to ensure that new development is compatible with neighborhood character. The proposed short subdivision will meet all the applicable Land Use Code provisions. The proposed development has adequate access for vehicles, utilities and fire protection, and has adequate drainage, water supply and sanitary sewage disposal. The public use and interest will be served with this proposal because additional opportunities for housing would be provided within the City limits as a result of this subdivision. The proposal will meet all applicable criteria for approval of a short plat upon completion of the conditions in this analysis and decision.

5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions, in environmentally critical areas;*

The development site contains an identified Environmentally Critical Areas - Riparian Corridor as defined in Seattle Municipal Code Chapter 25.09. The site has been identified to be within 100 feet from the ordinary high water mark of Longfellow Creek watercourse. Longfellow Creek is a Class A riparian corridor which requires a fifty (50) foot protective buffer on either side of the ordinary high water mark. The development site is outside the protective buffer zone, but lies partially within the corridor. The environmentally critical areas general, submittal and riparian corridors standards and other related development standards are still applicable. This shall be noted on the final plat. The environmentally critical areas shall be identified on the face of the final plat.

New construction on the parcels containing the Riparian Corridor will also be subject to the provisions SMC Chapter 25.09, Regulations for Environmentally Critical Areas. Grading and construction of any future structures will be reviewed during the building permitting stage and will be examined for conformance with all applicable requirements of the Land Use Code and Policies pertaining to Environmentally Critical Areas Ordinance. Therefore, this proposed short subdivision is in conformance with City of Seattle Policies and Regulations for development in Environmentally Critical Areas.

6. *Is designed to maximize the retention of existing trees;*

There are approximately three (3) deciduous and six (6) coniferous trees located upon the development site. Some of these trees can be preserved, depending upon the location of future construction, the extent of the root systems and the overall health of the trees. There are no exceptional trees at the development site. There is one tree of note, only for its uniqueness in the vicinity, a monkey puzzle (*A. australis*) tree that will be preserved on proposed Parcel A. Future construction will be subject to the provisions of SMC 23.44.008 which sets forth tree planting requirements on single family lots.

7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.*

This Short subdivision is not a unit subdivision. Thus, this section is not applicable to this short plat proposal.

DECISION - SHORT SUBDIVISION

The proposed short plat is **CONDITIONALLY GRANTED**.

SEPA DETERMINATION

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05).

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated April 7, 2003. The information in the checklist, public comment, and the experience of DCLU with review of similar projects form the basis for this analysis and decision. The project site is classified as an Environmental Critical Area under Standard Three that refers to Riparian Corridors – Class A stream (SMC Section 25.09.140). Note that pursuant to SMC 25.05.908.B, the scope of the environmental review of the subject short subdivision is limited to:

1. Documenting whether the proposal is consistent with The City of Seattle Regulations for Environmentally Critical Areas, SMC Chapter 25.09; and
2. Evaluating potentially significant impacts on the environmentally critical area resources not adequately addressed in The City of Seattle Environmentally Critical Areas Policies or the requirements of SMC Chapter 25.09, Regulations for Environmentally Critical Areas, including in additional mitigation measures needed to protect the environmentally critical areas in order to achieve consistency with SEPA and other applicable environmental review laws.

Drainage

Pursuant to SMC 25.05.675C, additional mitigation beyond that already required by the Stormwater, Grading and Drainage Control Code, Chapter 22.800 of the Seattle Municipal Code, may be required if run-off from a proposed project could have adverse impacts and if the proposed project is located in an environmentally critical area or if the project drains into streams identified by the State Department of Fish and Wildlife as bearing anadromous fish. As mentioned above, this project lies within the Longfellow Creek Drainage basin and runoff from this site will drain into Longfellow Creek, an anadromous bearing stream.

Additionally pursuant to SMC 22.800 the City of Seattle Stormwater Grading and Drainage Control Code projects with less than 5,000 square feet of impervious surface are not required to provide flow control for stormwater unless the director determines that flow control requirements are needed to protect an Environmentally Critical Areas. Longfellow Creek is a Class A riparian corridor, which is an environmentally Critical Area

Long-term Impacts

Long-term impacts are anticipated as a result of approval of this proposal including: increased surface water runoff due to greater site coverage by impervious surfaces. Each lot is allowed 35 percent development coverage. This 35% lot coverage for each lot would result in 2,529 sq ft (Parcel A), 1,851 sq ft (Parcel B), and 2,512 sq ft (Parcel C) of coverage for a total area of 6,892 square feet of impervious surface (This calculation does not include structure less than 18 inches

above grade or site paving such as for walkways and driveways). The runoff from this site would go directly to Longfellow Creek.

Longfellow Creek provides habitat for aquatic species including Coho salmon. The past three years Seattle Public Utilities, through their Coho spawning surveys, have found that a large number of Coho salmon that return to Seattle creeks die before they spawn (pre-spawning mortality). In Longfellow Creek the pre-spawning mortality of Coho has averaged 72% over the past three years. Stormwater runoff is believed to be contributing to these pre-spawning deaths. SMC 22.802.015 D states in part that the Director of DCLU may require sites with less than 5,000 square feet of impervious surface to comply with the requirements set forth in 22.802.016. Therefore flow control measures need to be incorporated into the design of future development at this site. Volume 3 of SMC Title 22.800 Stormwater, Grading and Drainage Control Code should be used to determine the size and design of the flow control measures that are used. It is recommended that a Stormwater planter (pg. 18), a Bioengineered planting strip (pg. 25) or a Infiltration planter (pg. 30) be used as methods to mitigate stormwater impacts at the site.

DECISION

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

[X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21.030(2) (c).

CONDITIONS - SEPA

Pursuant to SEPA policy 25.05.675 C2c, and SMC 22.802.015 D the following conditions will be imposed:

Prior to Recording

The owner(s) and/or responsible party(s) shall:

1. Insert the following language on face of plat:

“Permanent surface water flow control measures shall be installed to minimize impacts of increase stormwater runoff caused by the increase of degradation of any impervious surface coverage that is created as a result of development on each parcel.”

CONDITIONS - SHORT SUBDIVISION

Prior to Recording

The owner(s) and/or responsible party(s) shall:

1. Have final recording documents prepared by or under the supervision of a Washington state licensed land surveyor. Each lot, parcel, or tract created by the short subdivision shall be surveyed in accordance with appropriate State statutes. The property corners set shall be identified on the plat and encroachments such as side yard easements, fences or structures shall be shown. Lot areas shall be shown on the plat. All existing structures, principal and accessory, shall be shown on the face of the plat, and their distances to the proposed property lines dimensioned.
2. Enlarge scaled drawing to 1 inch equals 20 feet.
3. Submit the final recording forms for approval and any necessary fees.
4. Add the conditions of approval to the face of the short plat, or on a separate page if needed. If the conditions are on a separate page, insert on the plat:

“For conditions of approval after recording, see Page ____ of ____.” (If necessary, renumber the pages).
5. Identify the specific tree species for all identified trees on face of plat.
6. Identify the location of the environmentally critical areas on the face of the plat and insert the following on the face of the plat:

“This site contains Environmentally Critical Areas (ECAs) as defined in SMC 25.09. The General, Submittal requirements and Riparian Corridor standards, and other related development standards of Chapter 25.09 of the Seattle Municipal Code still apply to development on the site.”
7. Outline on the face of the short plat: the legal descriptions for the proposed parcels; the location of the existing utility lines on the face of the plat; all ingress and egress and utilities easements. If a utility easement is required by Seattle City Light, then the easement in its entirety (typically referred to as “Easement A”) shall be shown on the face of the plat.
8. Provide an easement or covenant to allow for the placement of a visually accessible address sign on proposed Parcel A for the benefit of proposed Parcels B & C.

After Recording and Prior to Issuance of future Building Permit

9. The owner(s) and/or responsible party(s) shall:
10. Attach a copy of the recorded short plat to all building permit plan sets.
11. Submit a standard drainage control plan for all initial building permits on proposed parcels.

12. Submit a geotechnical soils report for all initial building permits on proposed parcels.

Prior to sale, or finalized Building Permit

13. Pave the ingress and egress easement surface to meet at least the minimum Seattle Fire Department requirement of crushed rock at least six (6) inches in depth.
14. Any disturbance activity associated with initial construction permits within the 25th Avenue Southwest right-of-way shall be restored to preexisting conditions, and shall be approved by the lead planner for the Delridge Longfellow Creek Restoration Project, Seattle Park and Recreation Department.

Signature: (signature on file) Date: May 22, 2003

Bradley Wilburn, Land Use Planner
Department of Design, Construction and Land Use
Land Use Services